

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ISAIAH BRUEGGEN AND DAVID
ANTHONY PEARSON JR,

Plaintiffs,
v.

LA CROSSE COUNTY JAIL,

Defendant.

ORDER

Case No. 21-CV-476-jdp

Plaintiff Isaiah Brueggen, an inmate in the custody of the La Crosse County Jail, has filed a proposed civil complaint. Plaintiff is an inmate and, therefore, subject to the 1996 Prisoner Litigation Reform Act. Plaintiff has requested leave to proceed without prepayment of the filing fee, and submitted several uncertified monthly inmate transaction statements to support this request. These statements are insufficient to determine whether plaintiff qualifies for indigent status because plaintiff has not submitted a *certified* copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint.

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than August 18, 2021. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Isaiah Brueggen may have until August 18, 2021 to submit a certified trust fund account statement for the period beginning approximately January 28, 2021 and ending approximately July 28, 2021. If, by August 18, 2021, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 28th day of July, 2021.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge